

REMARKS

Claims 101-103 are added.

Support for claim 101 can be found at least on page 18, lines 25-28.

Support for claim 102 can be found at least on page 58, lines 5-11.

Support for claim 103 can be found at least on page 69, lines 20-21 and Figures 11-14.

No new matter has been added.

Potentially Interfering Published Application

Applicant informs the Examiner that this Submission presents one or more claims that may correspond to one or more claims published on February 26, 2004 in U.S. Patent Application Publication US 2004/0038922 A1 (Haensler et al.). See 37 C.F.R. § 10.23(c)(7). Accordingly, Applicant brings this published patent application to the Examiner's attention for consideration under 35 U.S.C. §§ 102(e), 102(g) and 135(a).

Applicant is filing this Submission out of an abundance of caution to preserve the right to pursue any claim that may be considered as corresponding to a claim in U.S. Patent Application Publication US 2004/0038922 A1. See 35 U.S.C. § 135(b)(2). Applicant is also preserving the right to suggest an interference with U.S. Patent Application Publication US 2004/0038922 A1. Applicant brings to the Examiner's attention that the instant application has a filing date of January 22, 2001 and a priority date of January 22, 2000.

Applicant notes that the foreign priority date listed on US 2004/0038922 A1 should not be considered in evaluating its availability as a reference, including for purposes of declaring an interference. See M.P.E.P. § 2308.01 ("Any claim of foreign priority by the patentee under 35 U.S.C. § 119(a) will not be taken into account when determining whether or not an interference should be declared ...").

Respectfully submitted,



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